

REMARKS

The present Amendment amends claims 5, 10, 11 and 15, leaves claims 6, 8, 9, 14 and 16 unchanged and adds new claims 17-19. Therefore, the present application has pending claims 5, 6, 8-11 and 14-19.

Claims 5, 6, 8-11 and 14-16 stand rejected under 35 USC §103(a) as being unpatentable over Miyashita (U.S. Patent No. 5,397,883) in view of Sehr (U.S. Patent No. 6,085,976). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in claims 5, 6, 8-11 and 14-16 are not taught or suggested by Miyashita or Sehr whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to the claims so as to more clearly describe features of the present invention. Particularly, amendments were made to the claims so as to more clearly recite that the ticket examiner, that forms a part of the service providing system, isolates a service providing location from a service-free location, and includes communication means which conducts communication with a user medium which is mobile and means for issuing a ticket to the user of the user medium for receipt of a service at a point of entry into the service providing location.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record particularly Miyashita and Sehr whether taken individually or in combination with each other as suggested by the Examiner.

Miyashita teaches an automatic ticket examining apparatus which is able to accommodate two different types of medium. In Miyashita, a first medium is, for example, a ticket having a magnetic stripe which stores information allowing the user of the first medium to pass the automatic gate apparatus into a service providing location. The first medium is read by contacting with the automatic gate apparatus. The second medium as taught by Miyashita is, for example, a radio card or the like on which information is stored to allow the user of the radio card to pass the automatic gate apparatus into a service providing location. The second medium is read by not in contacting the automatic gate apparatus.

However, at no point in Miyashita is there any teaching or suggestion that the automatic gate apparatus isolates a service providing location from a service-free location, and includes a ticket issuing apparatus which issues a ticket to a user of a user medium which is mobile for the receipt of services at the point of entry into the service providing location as in the present invention. Fig. 4 of Miyashita illustrates the internal structure of the automatic gate apparatus. At no point is there any teaching or suggestion in Fig. 4 of Miyashita that a ticket issuing apparatus is provided for issuing a ticket to the user of a user medium which is mobile in the automatic gate apparatus as in the present invention.

Therefore, Miyashita fails to teach or suggest a ticket examiner which isolates a service providing location from a service-free location and which includes communication means which conducts communication with a user medium which is mobile as recited in the claims.

Further, Miyashita fails to teach or suggest that the ticket examiner includes means for issuing a ticket to the user of the user medium which is mobile, when the user exists at the ticket examiner, for receipt of a service at a point of entry into the service providing location as recited in the claims.

The above noted deficiencies of Miyashita are not supplied by any of the other references of record. Particularly, the above described features of the present invention, shown above not to be taught or suggested by Miyashita, are also not taught or suggested by Sehr. Therefore, combining the teachings of Miyashita and Sehr in the manner suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as now more clearly recited in the claims.

Sehr teaches a travel system having, for example, as illustrated in Fig. 1, a travel center 2, service providers 3 and a card station 1. As taught in Sehr, for example, as illustrated in Fig. 2, the user of the travel services request and pays for various travel services by use of a passenger card 11 at a travel center 2. Once information concerning the services purchased by the user at the travel center 2 is stored on the passenger card, the card can then be used at any of the service providers 3 having a passenger station 31 as illustrated in Fig. 2. The passenger station 31 as described in col. 7, lines 35-42 of Sehr controls access to the transportation carriers. The passenger station 31 as taught by Sehr is operated so as to manage the passenger flow to or from the transportation carriers while verifying the passenger cards 11. As described in col. 11, lines 6-21 of Sehr the passenger station 31 includes access control modules 111 and 112 which are installed at the

entrance or exit gates at the premises where passenger can board a transportation carrier or where transportation vehicles can have access. As described in col. 11, lines 62-67 and in col. 13, lines 4-7 of Sehr each access module 111 and 112 includes card slots 111.1 and 112.1 which allow the card holder to insert and retrieve the passenger card 11 and biometric modules 111.2 and 112.2 which serves as additional security means for controlling the passenger flow and for safe guarding the passenger cards 11.

At no point is there any teaching or suggestion in Sehr that the passenger station 31 (ticket examiner) includes a ticket issuing apparatus which issues to the user of a user medium which is mobile a ticket for receipt of service at a point of entry into a service providing location as isolated by the ticket examiner as in the present invention. The access modules 111 and 112 of the passenger station 31 as taught by Sehr are positioned at the point of entry of the service providing location. However, at no point is there any teaching or suggestion in Sehr that a ticket is issued by the passenger station 21 or the access modules 111 and 112 to the user of a user medium which is mobile at the point of entry into a service providing location as in the present invention. Sehr merely teaches that information is stored onto the passenger cards 11 at the travel center 2, which do not control access to the service providing location, and that the information stored in the passenger cards 11 are used by the access modules 111 and 112 to allow the passenger to gain access to a transportation carrier.

Thus, Sehr fails to teach or suggest a ticket examiner which isolates a service providing location from a service-free location and which includes communication

means which conducts communication with a user medium which is mobile as recited in the claims.

Further, Sehr fails to teach or suggest that the ticket examiner includes means for issuing a ticket to the user of the user medium which is mobile, when the user exists at the ticket examiner, for receipt of a service at a point of entry into the service providing location as recited in the claims.

As is quite clear from the above, Sehr suffers from the same deficiencies relative to the features of the present invention as Miyashita. Therefore, combining the teachings of Miyashita and Sehr in the manner suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as now more clearly recited in the claims. Therefore, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 5, 6, 8-11 and 14-16 as being unpatentable over Miyashita in view of Sehr is respectfully requested.

As indicated above, the present Amendment adds new claims 17-19, which depend directly or indirectly on claim 5. Therefore, the same arguments presented above with respect to claim 5 apply as well to the potential use of Miyashita and Sehr to reject claims 17-19.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 5, 6, 8-11 and 14-16.

In view of the foregoing amendments and remarks, applicants submit that claims 5, 6, 8-11 and 14-19 are in condition for allowance. Accordingly, early allowance of claims 5, 6, 8-11 and 14-19 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.40214X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

A handwritten signature in black ink, appearing to read 'C. Brundidge', is written over a horizontal line.

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